IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE ELEVENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NOs : 4380, 4381 and 4382 of 2005

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WRIT PETITION NO : 4380 of 2005:

Between:

Abdul Samad, S/o. Abdul Rahman,
R/o. 17-2-790, Ayodhyanagar, Mehdipatnm, Hyderabad.

..... PETITIONER

AND

1. The Collector, Ranga Reddy District, at Lakdikapool,

Hyderabad.
2 The Sub-Registrar, Sub-Registrar Office, Medchal,

Ranga Reddy District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of a writ of Mandamus declaring the action of the respondent No.2 in not accepting the registration of document in respect of Plot No. 4 admeasuring 2600.00 Sq. Yards comprised in Survey No.182/A of Dulapally Village, Qutubullapur Mandal, Ranga

Reddy District covered by registered Sale Deed document No.247 of 1992 dt. 6.1.1992 of respondent No.2 Office as arbitrary, illegal and ultravires of the Registration Act, and consequently direct the respondents herein to register the document of the petitioner for registration of the open plot No.4, admeasuring 2600.00 Sq. Yards in Survey No.182/A situated at Dulapally Village of Qutubullapur Mandal, Ranga Reddy District and pass such other order or orders.

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WRIT PETITION NO : 4381 of 2005

Between:

B. Vittal S/o Mouglappa
Qutubullapur Town Proper, Ranga Reddy District

..... PETITIONER

AND

1 The Collector, Ranga Reddy District at Lakdikapool,

Hyderabad
2 The Sub-Registrar, Sub-Registrar Office, Medchal,

Ranga Reddy District
3 Gul-O-Burg Co-operative Housing society Ltd.,

rep by Secretary, Sy. No. 348/2, Panchasheela Colony,
qutubullapur Village & Mandal Proper Ranga Reddy District

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ order or direction more particularly one in the nature of a Writ of Mandamus declaring the action of the Respondent No.2 in not accepting the registration of document in favour of the petitioner in respect of Plot No. 138 admeasuring 266.66 Sq.Yards comprised in Survey No. 348/2 of Qutubullapur Village and Mandal, Ranga Reddy District Covered by allotment letter dated 12-8-1990 given by the respondent No.3 as arbitrary, illegal and ultravires of the Registration Act, and consequently direct the respondents 1and 2 herein to register the document if presented in favour of the petitioner for registration of the open Plot No. 138, admeasuring 266.66 sq.yards in Survey No. 348/2 situated at Qutubullapur Village and Mandal, Ranga Reddy District.

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WRIT PETITION NO : 4382 of 2005

Between:

1 D. Koti Reddy S/o Narsi Reddy
r/o 6-194, Chintal, Qutubullapur Municipality,

Ranga Reddy District
2 D. Madhavi W/o D. Koti Reddy
r/o 6-194, Chintal, Qutubullapur Municipality,

Ranga Reddy District

..... PETITIONERS

AND

1 The Collector, Ranga Reddy District, at Lakdikapool,

Hyderabad
2 The Sub-Registrar, Sub-Registrar Office, Medchal,

Ranga Reddy District

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, order or direction more particularly one in the nature of a Writ of Mandamus declaring the action of the Respondent No.2 in not accepting the registration of document in respect of Plot No. 51-A admeasuring 110.00 Sq.Yards comprised in Survey No. 272/2 of Qutubullapur Village and Mandal, Ranga Reddy district covered by Registered Sale Deed document No. 3674 of 1997 dated 8-8-1997 of respondent No.2 office as arbitrary, illegal, and ultravires of the Registration Act, and consequently direct the respondents herein to register the document of the petitioner for registration of the open plot No. 51-A, admeasuring 110.00 Sq.Yards in Survey No. 272/2, situated of Qutubullapur Village & Mandal, Ranga Reddy District and pass such other order or orders as this Hon'ble Court deem fit and proper.

Counsel for the Petitioners : MR.A.SATYANARAYANA REDDY

Counsel for the Respondent Nos. 1 and 2: GP FOR REVENUE

(in all the above writ petitions)

Counsel for respondent No.3 in W.P.No.4381 of 2005: ---

The Court made the following common order at the stage of admission:

COMMON ORDER:

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These three writ petitions are filed challenging the circular dated 06.02.2001. The grievance of the petitioners is that when they presented the documents for registration of their lands in Qutubullapur and Dulapally Village of Ranga Reddy District, the respondents are not processing the same, on the basis of the circular, referred to above. They seek appropriate directions from this Court.

Heard the learned counsel for the petitioners and the learned Government Pleader for Revenue.

` In several writ petitions this Court took the view that the circular, referred to above,

cannot constitute the basis for the registering authorities to refuse to process the documents. It was also indicated that it is only on the basis of a notification issued under Section 22-A of the Registration Act (for short 'the Act') that such steps can be taken.

Learned Government Pleader for Revenue has placed before this Court copies of G.O.Ms.Nos.284 and 294 dated 09.03.2005, wherein the Government issued notification under Section 22-A of the Act, prohibiting registrations, in respect of lands in certain survey numbers of Qutubullapur and Dulapally Village. The documents relate to the survey numbers mentioned therein. In that view of the matter, no relief can be granted to the petitioners.

In view of the subsequent development, the registering authorities are required to verify as to whether the lands, in respect of which the documents are presented, are mentioned in the G.Os, referred to above. If the lands are not covered by the G.Os., the documents deserve to be processed. On the other hand, if it is found that the G.Os., cover the lands, the petitioners have to work out the remedies by challenging the G.Os., or otherwise. The Sub-Registrar shall verify the documents of the petitioners, in the light of the directions issued above, within a period four weeks form today.

Accordingly, the writ petitions are disposed of. There shall be no order as to costs.

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(L.NARASIMHA REDDY,J)

Date: 11-03-2005

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To

1. The Collector, Ranga Reddy District, at Lakdikapool,

Hyderabad.

2 The Sub-Registrar, Sub-Registrar Office, Medchal,

Ranga Reddy District.

3 Two CCs to the G.P for Revenue, High Court Buildings,

Hyderabad(O.U.T).

4 2 CD copies